



1990

Austin City Council MINUTES

FOR AUGUST 30, 1990 - 1 P.M.

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

1. Approved Minutes for Regular Meetings of August 16, 1990 and August 21, 1990 (as Electric Utility Board) and Special Meetings of August 14, (10:00 A.M.), August 14, (7:30 P.M.), August 20 & 23, 1990.

On Councilmember Epstein's motion, Councilmember Nofziger's second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Barnstone and Carl-Mitchell out of the room.

CITIZEN COMMUNICATIONS

2. Mr. Fred Ebner spoke on Capital Metro.
3. Mr. Gavino Fernandez Jr. discussed City employees' personnel concerns.
4. Mr. Lance Winters discussed proposed personnel policies that negatively affect the City's work force and cost taxpayer dollars.
5. Mr. David N. Elliott discussed current City issues.
6. Mr. Tim Hamblin discussed the feasible possibilities for a Music Channel in Austin.
7. Mr. Dennis Paddie to discuss the developing Barton Creek crisis did not appear.
8. Mr. William C. Johnson discussed strengthening "No Smoking Ordinance," Capitol Metro concerns and wheelchair accessibility concerns throughout the City.
9. Mr. Frank Parker to discuss the Renaissance Market did not appear.
10. Mr. Marvin Bibbey to discuss Renaissance Commission appointments did not appear.
11. Mr. Gail Armstrong, discussed Aquafest content and commercial use of parklands.

ITEMS CONTINUED FROM PREVIOUS MEETING

12. Approve a one-hundred twenty (120) month lease of a 25,000 square foot building from Mr. John Strance, located at 1006 Smith Road for use by the General Services

Department. (Rental rate amounts to \$164,703.48 annually. Funding included in the General Services budget for FY 1989-90 and the 1990-91 proposed budget)

POSTPONED TO SEPTEMBER 20, 1990

13. Approved third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 200-202 West 39th Street, 3900-3904, 3901-3909 and 3913 Avenue D, 3802, 3804, 3808, 3810, 3805-3817, 3900-3924, and 3901-3925 Speedway, 3900, 3924, 4000-4010, 3817, 3821, 3823, 3909, 4001,-4007, 4011 and 4013 Avenue F, and 4000-4004 Avenue G, Zoning Case No. C14-90-0039, from "SF-3, "MF-4", "LO", and "CS" to "SF-3-NCCD", "MF-4-NCCD", "LO-NCCD", and "CS-NCCD", Hyde Park Baptist Church, owner, by Richard Suttle, agent. First reading on August 9, 1990. Vote 5-0. Second reading on August 16, 1990. Vote 7-0. Conditions imposed by Council have been met. (Councilmember Smoot Carl-Mitchell) [No citizen sign-up]

EMERGENCY PASSAGE OF ORDINANCE

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Nofziger out of the room.

Action for Metropolitan Government (AMEGO) [Items 14-15]

14. Approve the establishment of a joint Austin/Travis County Vehicle Maintenance Committee composed of City and County staff and authorizing the City of Austin General Services Department to conduct an analysis of joint vehicle maintenance operations. (Councilmember Michael "Max" Nofziger)

POSTPONED TO SEPTEMBER 20, 1990

15. Status report on the Parks Consolidation proposal. (Councilmember Michael "Max" Nofziger)

Status report heard. Council directed the City Manager not to expend any more staff time on consolidation of parks until there are further directions from the Council.

RECESS - Council recessed its meeting from 3:55 to 3:57 P.M. for the Austin Housing Finance Corporation meeting.

ORDINANCES

16. Approved renaming a portion of GILES LANE to HARRIS BRANCH PARKWAY. (\$100.00 processing fee prepaid by Requester - \$150.00 fee for street sign to be paid by Requester)
17. Approved renaming a portion of BRAKER LANE EAST to HARRIS BRANCH PARKWAY. (\$100.00 processing fee prepaid by Requester - \$150.00 fee for street sign to be paid by Requester).
18. Approved amending the City Code by deleting or adding the following school zones. These modifications are necessary because of the reassignment of students or

ORDINANCES - (CONTD.)

changes in school boundaries within the Austin School District. (No additional funding is required, funding for sign removal and installation is within the current operating budget.)

Section 11-2-99(d) 20 m.p.h.

Delete: South 1st Street from 365 feet south of the north curb line of Monroe Street (south intersection) to 390 feet north of the south curb line of Monroe Street (north intersection)

Section 11-2-99(d) 20 m.p.h.

Delete: West 5th Street from 150 feet east of Campbell to 150 feet west of Campbell (Austin School)

Section 11-2-99(d) 20 m.p.h.

Delete: West 6th Street from 150 feet west of Campbell to 150 feet east of Campbell (Austin School)

Section 11-2-99(d) 20 m.p.h.

Delete: Balcones Drive from 300 feet north of Big Bend Drive to 200 feet north of Hancock Drive (Highland Park School)

Section 11-2-99(d) 20 m.p.h.

Delete: Burleson Road from 82 feet north of Metcalf Road (west curb) to 110 feet south of Iroquis Lane (east curb)

Section 11-2-99(d) 20 m.p.h.

Delete: Exposition Boulevard from West 10th Street to 200 feet north of West 10th Street (O'Henry School)

Section 11-2-99(d) 20 m.p.h.

Delete: South 1st Street from 200 feet south of south curb of Mairo Street to north curb of Dittmar Road

Section 11-2-99(d) 20 m.p.h.

Add: South 1st Street from 515 feet south of south curb of Mairo Street to north curb of Dittmar Road

Section 11-2-99(d) 20 m.p.h.

Add: Springdale Road from 175 feet north of Northeast Drive to 23 feet south of Hycreek Drive

The following section was deleted from the agenda:

Section 11-2-99(d) 20 m.p.h.

Delete: Anderson Lane from 200 feet east of Lazy Lane to 130 feet west of Northwest Drive (Wooten School)

19. Approved an amendment to the Austin City Code to modify the speed limit on Springdale Road. The current 40 m.p.h. speed limit does not have a supporting engineering investigation.

ORDINANCES - (CONTD.)

Section 11-2-100(b) 40 m.p.h.

Delete: Springdale Road from E. Martin L. King Jr. Blvd. to Manor Road

Section 11-2-100(b) 40 m.p.h.

Add: Springdale Road from East Martin Luther King Jr.
Boulevard to Manor Road

Items #16 through 19, on Councilmember Larson's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Carl-Mitchell and Mayor Pro Tem Urdy out of the room.

20. Approved a transfer from the Airport Capital Fund to the New Airport Construction Fund for FY 1989-90. (\$5,000,000.00 from the available balance in the Airport Capital fund.)
- On Councilmember Carl-Mitchell's motion, Councilmember Larson's second, 7-0 Vote.
21. Amended the FY 1989-90 Operating Budget by appropriating \$44,301.00 of the 1990-91 Central Texas Library System grant amount to the Austin Public Library for the month of September, 1990. (All funding for this program is from State and Federal appropriations).
22. Amended the FY 1989-90 Operating Budget by appropriating \$2,075.00 of the 1990-91 Junior League Walking Books grant amount to the Austin Public Library for the month of September, 1990.
23. Amended the FY 1989-90 Operating Budget by appropriating \$11,273.00 of the 1990-91 Interlibrary Loan Services grant amount to the Austin Public Library for the month of September, 1990. (All funding for this program is from State and Federal appropriations).
- Item #21-23 on Councilmember Larson's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Carl-Mitchell and Mayor Pro Tem Urdy out of the room.
24. Amend the FY 1989-90 Operating Budget by accepting a grant in the amount of \$157,920.00 from the Office of the Governor for a Small Business Energy Action Directive Program and appropriating this amount to the Environmental and Conservation Services Department. This program will provide energy efficiency retrofits for small business organizations. (Funding of the program for three (3) full-time employees, equipment installations, air conditioning maintenance and rebates to be provided in the amount of \$157,200.00 from the State of Texas, and \$102,493.00 from the Environmental Conservation Services Department budgeted CIP and in kind staff cost.
- POSTPONED TO SEPTEMBER 6, 1990
25. Accepted an American Foundation for AIDS Research Targeted Education Grant in the amount of \$20,000.00 and amend the 1989-90 Health and Human Services Department Budget by increasing expenditures and expense refunds by \$6,500.00 (The remaining balance of \$13,500.00 will be received in FY 90-91).

Zoning (Items 26-28)

26. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City code rezoning property locally known as 3416 Lyons Road, Case No. C14h-80-009, from "SF-3-H" to "SF-3", Owner, Coastal Banc Savings Association; City of Austin, Agent. First reading on April 4, 1985, 7-0 vote. No conditions to be met. [No citizen sign-up].
27. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3211 Tarlton Lane, Case No. C14-90-0012, from "GR" to "MF-1", Owner, Strand Texas, Inc.; Lichliter/Jameson & Associates, Agent. First reading on April 5, 1990, 6-0 vote. Conditions imposed by Council have been met. [No citizen sign-up].

Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City code rezoning 1,902 square feet of the property locally known as 4415 Manchaca Road, Zoning Case C14-89-0047, from "LR" to "GR-CO", Diamond Shamrock Corporation. First reading on November 2, 1989; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. [No citizen sign-up].

Items #25 through #28, on Councilmember Larson's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Carl-Mitchell, Mayor Pro Tem Urdy out of the room.

Convention Center (Items 29-31)

29. Amend the Austin Convention Center Budget, C.I.P. Project No. 493-827-1000, by appropriating \$2,300,000.00 from Capital Metro for the inclusion of transit facilities and pedestrian amenities; \$105,500.00 from Electric Utility Department for installation of a 20-kilowatt solar test system; and \$700,000.00 from Environmental and Conservation Services/General Services Department for installation of a thermal energy storage system. (Funding in the amount of \$2,300,000.00 provided from Capital Metro; \$105,000.00 from Electric Utility CIP No. 312-117-852; \$350,000.00 from State of Texas Oil Overcharge Fund for the local Government Competitive Grants Program, and \$350,000.00 from General Services Department CIP Project No. 888-787-0405)

PULLED FROM AGENDA

30. Approved a revision to Chapter 5-3 of the Code of the City of Austin, 1981, amended, relating to the Hotel Occupancy Tax, in order to bring said Chapter into

On Councilmember Larson's motion, Councilmember Nofziger's second 5-0 Vote, Councilmember Carl-Mitchell and Mayor Pro Tem Urdy absent.

RESOLUTIONS

31. Authorize an increase to the original appropriation for architectural professional services to AUSTIN COLLABORATIVE VENTURE, in the amount of \$340,500.00, for work to be performed on the Austin Convention Center. (Funding included in C.I.P. Project No. 493-827-1000 from Convention Center bonds). PULLED FROM AGENDA

RESOLUTIONS - (CONTD.)

32. Authorized release of a portion of the Electric Easement recorded in Book 10, Page 41, Travis County Plat Records, located on Lot 8, Block D, Balcones Park Edgemont Section Two, locally known as 3407 Cascadera. (Request submitted by James M. Grant on behalf of Thomas N. Cockburn and wife, Susan J. Cockburn - \$250.00 application fee has been paid).

On Councilmember Nofziger's motion, Councilmember Larson's second 6-0 Vote, Councilmember Carl-Mitchell out of the room.

33. Approved the selection of professional engineering firms in the amount of \$200,000.00 to provide Mechanical-Electrical-Plumbing Engineering Services on small, fast turn-around projects for the remainder of FY 1989-90 and for FY 1990-91 and 1991-92. (Fees for these services are budgeted in the projects for which the services are needed). 10% MBE, 5% WBE subcontractor participation (O'Connell Robertson and Associates, KLV Engineering, Inc.) - The other firms did not identify any subcontracting opportunities.

On Councilmember Barnstone's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

34. Approved the selection of professional engineering firms to provide structural engineering services on small, fast turnaround projects for the remainder of fiscal year 1989-90 and for fiscal years 1990-1991 and 1991-1992. (Fees for these services are budgeted in the projects for which the services are needed.) [10% MBE, 5% WBE Subcontractor participation (Datum Engineering) - The other firms did not identify any subcontracting opportunities].

On Councilmember Barnstone's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

35. Approved execution of Supplemental Amendment No. 5 to the Professional Services Agreement with HEERY PROGRAM MANAGEMENT, INC., P.O. Box 10094, Austin, Texas, for providing construction coordination and scheduling management services for the Ullrich Water Treatment Plant Expansion, Contract 5, for \$181,209.00. (Funding in the amount of \$181,209.00 provided in C.I.P. Project No. 385-227-0935).

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

36. Approved Change Order No. 2 to the Construction Contract with METRO PAVING CO. INC. P.O. Box 43247, Austin, Texas, for the Robert Mueller Municipal Airport Taxiway Overlay and Drainage Improvements Project, in the amount of \$32,812.50. (6.56% increase to the original amount of \$499,709.23). Funding included in C.I.P. No. 880-817-0714).

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

37. Approved a construction contract award to METRO PAVING COMPANY, INC., P.O. Box 43202, Austin, Texas, in the amount of \$412,012.75, for the Duval St. Overlay 1990. (Funding in the amount of \$393,962.75 included in CIP-Public Works Operating Budget; \$13,300.00 included in CIP-Water Revenue Bonds; and \$4,750.00

included in CIP-Wastewater Revenue Bonds). 17.2% MBE, 3.7 WBE Subcontractor participation.

38. Authorized application for and acceptance of a grant of \$35,000.00 from the Texas Department of Highways and Public Transportation to continue the EMS/STARFlight DWI Awareness Program.

#37 and 38 on Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

39. Authorized application for and acceptance of a grant in the amount of \$82,032.00 from the State Department of Highways and Public Transportation to fund a National Maximum Speed Limit Enforcement Program for the Police Department. (City's match is \$82,032.00. Funding included in the FY 1990-91 Operating Budget for the Police Department).

On Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

40. Authorized application for and acceptance of a grant in the amount of \$86,000.00 from the State Department of Highways and Public Transportation to fund a Drunk Driver Apprehension Selective Traffic Enforcement Program for the Police Department (DWI STEP). (City's match is \$86,000.00. Funding included in FY 1990-91 Operating Budget for the Police Department).

41. Authorized application for and acceptance of a grant in the amount of \$20,000.00 from the State Department of Highways and Public Transportation to continue to fund the Traffic Services Microcomputer System (TRASER) for the Police Department. (TRASER provides timely identification of locations where increased traffic enforcement may have the greatest impact on reducing motor vehicle accidents).

#40 and 41 on Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

RESOLUTIONS (continued)

42. Authorized application for and acceptance of a grant in the amount of \$30,000.00 from the State Department of Highways and Public Transportation to continue to fund the Occupant Restraint (Seatbelt) Selective Traffic Enforcement Program for the Police Department.

On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 6-1 Vote, Councilmember Epstein voted No.

43. Approve execution of a contract for a twelve (12) month Supply Agreement with LEIF JOHNSON FORD TRUCK CITY, 502 E. Ben White Blvd., Austin, Texas, for heavy truck parts, in the amount not to exceed \$77,000.00, with the option to extend for up to two (2) additional twelve (12) month periods for a total amount not to exceed \$77,000.00 each extension period for the grand total amount of \$231,000.00. Sole bidder. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900572-1LI

POSTPONED TO SEPTEMBER 20, 1990

44. Approved execution of a twelve (12) month Supply Agreement contract with K-PRO CORPORATION, 1134 E. Hwy. 80, Abilene, Texas, for bench stock (low cost minor repair parts such as nuts, bolts, springs, screws, etc.), in an estimated amount not to exceed \$37,500.00 with the option to extend for one (1) additional twelve (12) month period in the estimated amount not to exceed \$37,500.00 for a total estimated amount not to exceed \$75,000.00. Low bid of five (5) bids. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900571-1LI
45. Approved execution of a twelve (12) month contract with CAPITOL CHEVROLET, INC., 501 N. Lamar Blvd., Austin, Texas, for repair parts for GMC passenger cars and light trucks, in an amount not to exceed \$70,000.00, with the option to extend for up to two (2) additional twelve (12) month periods in the amount not to exceed \$70,000.00 each extension period, in the total amount not to exceed \$210,000.00. (Funding included in the 1989-90 Operating budget for General Services Department). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.
46. Approved execution of a contract to UNION METAL, 709 Lingco Suite 101, Richardson, Texas, for Traffic Poles and Arms in the amount of \$38,888.00. (Funding for these items was included in the Operating Budget for General Services Department). Low bid of two (2) bids. 0% M/WBE subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File IFB No. 900627-1CM

44, 45, 46 on Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

47. Approved execution of a contract award to GENERAL ENGINES COMPANY, 1100 Interstate 20 West, Arlington, Texas, for a Recycling Truck, in the amount of \$37,690.00. (Funding included in the FY 1989-90 Operating Budget for General Services Department). Sole Respondent. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900615-1LI

On Councilmember Larson's motion, Councilmember Nofziger's second, 7-0 Vote.

48. Approve execution of a contract with TEXAS COPY, 3019 Alvin Devane, Ste. 400, Austin, Texas, for the purchase of nine (9) Facsimile Machines for the Fire Department, in a total amount of \$32,661.00. (Funding for these items was included in the FY 1989-90 Operating Budget for the Fire Department). Low bidder of eleven (11) bids. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB File No. 900454-1RD

Postponed until the City Manager has information as to whether six machines can be found in other Departments to transfer to the Fire Department. Also, explore Councilmember Carl-Mitchell's suggestions concerning the use of computers instead of facsimile machines.

49. Approved execution of a contract with CANNON'S UNIFORMS, 507 State Street, Garland, Texas, for the purchase of firefighting uniforms, in an amount not to exceed \$228,621.00. (Funding included in the FY 1989/90 Operating budget for the Fire Department). Low bid of seven (7). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.

On Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

50. Approve execution of a contract with AMDAHL CORPORATION, Austin, Texas, for the purchase of an upgrade to the City of Austin's Amdahl 5890-200E mainframe computer with thirty-two I/O channel and ninety-six megabytes (96MB) of main memory to a 5890-400E or equivalent, with 64 channels, 256 MB of memory, two channel-to-channel adapters, multiple domain capability, and full support for the MVS/ESA operating system, in an amount not to exceed \$1,621,716.00. (Funding included in Utility Customer Service Billing System Project Fund). Low bid of five (5). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.

PULLED FROM THE AGENDA

51. Approved execution of a twelve (12) month Supply Agreement contract with T & G IDENTIFICATION SYSTEMS, 505 E. Henderson, Ft. Worth, Texas, for Polaroid Film used to document fires, accidents, Health Code violations, Building Code violations, etc., in the amount not to exceed \$59,616.00, and with DIXIE SALES COMPANY, 2955 Christopher Road, Jacksonville, Florida, in an amount not to exceed \$124,056.00 with the option to extend with T & G Identification Systems for up to one (1) additional twelve (12) month period, for a total amount not to exceed \$367,344.00. (Funding for these items was included in the Operating Budget for the General Services Department). Low bid of seven (7) bids. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.

On Councilmember Larson's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Barnstone out of the room.

52. Approved execution of a contract with BAXTER PHARMASEAL, P.O. Box 1505, Grand Prairie, Texas, for suction canisters, for a total cost not to exceed \$56,622.00, with one twelve (12) month extension option for an estimated cost not to exceed \$56,622.00. (Funding included in the 1989-90 Operating budget for Brackenridge Hospital). Low bid of three (3). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-164.

RESOLUTIONS - (CONTD.)

53. Approved execution of a contract with BAXTER HEALTHCARE CORP., 1500 Waukegan Rd., McGraw Park, IL, for heart catheters and angiography trays, for a total cost not to exceed \$46,454.00, with one twelve month extension option for a total estimated cost not to exceed \$46,454.00, for a total cost not to exceed \$92,908.00. (Funding included in the 1989-90 Operating budget for Brackenridge Hospital). Low bid of three (3). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BS0-171
54. Approved execution of a contract with JONES CHEMICALS, INC., 1777 Haden Road, Housing Texas, for Liquid Chlorine for use by the Water and Wastewater Department and Parks Department, in an amount not to exceed \$399,575.00, with the option to extend for up to one (1) additional twelve (12) month period in an amount not to exceed \$399,575.00 for a grant total amount not to exceed \$799,150.00. (Funding provided in the 1989/90 Operating budget for Water and Wastewater and Parks Departments). Low bid of two (2). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900537-1LI.
55. Approved the Programmatic Agreement for removal of Special Condition 16 imposed by the Environmental Protection Agency (EPA) on the construction of the South Austin Regional Treatment Plant. (This condition restricts future development in southeast Austin).

§52-55 on Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

56. Approved execution of an amendment to the contract with Towers, Perrin, Forester & Brosby, and the City of Austin for consulting services for the Employee Benefits Management System in an estimated amount not to exceed \$113,659.00. (Funding included in the Health Benefits Fund).

On Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, 6-1 Vote, Councilmember Epstein voted No.

57. Approved annual access fund budget and request for payment from Austin Cablevision, in the amount of \$585,000.00.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 7-0 Vote.

Multi-Family Energy Conservation (Items 58-60)

58. Approved issuance of a Letter of Intent and payment to Autumn Hills Apartments to fund the Multi-Family Program for the installation of energy saving measures, in the amount not to exceed \$60,779.20. (Funding provided through Brown and Root funds, FY 1989-90 Capital Budget).
59. Approved issuance of a Letter of Intent and payment to Balcones Club Apartments to fund the Multi-Family Program for the installation of energy saving measures, in the amount not to exceed \$46,051.80. (Funding provided through Brown and Root funds, FY 1989-90 Capital Budget).

RESOLUTIONS - (CONTD.)

60. Approved issuance of a Letter of Intent and payment to Capital of Texas Properties to fund the Multi-Family Program for the installation of energy saving measures in the amount of \$45,000.00. (Funding provided through Brown and Root funds, FY 1989-90 Capital Budget).
61. Approved an agreement with the State Department of Highways and Public Transportation for replacement of the Mt. Bonnell Rd. bridge over Huck Slough. (\$52,000.00 is available and already encumbered in C.I.P. No. 825-607-2028 for the Public Works and Transportation Department).

#58-61 on Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

62. Approved an 84 month lease of a 6,520 square feet building located at 2210 Hancock Drive from Alamo Bank of Texas for use as a Branch Library. (Funds for the operation of this facility are available in the Library Department budget for FY 1989-90 and in the proposed budget for FY 1990-91). [Rental rate amounts to \$29,731.20 per year].

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

63. Appointed Ms. Helen C. Spear to a two year term as Austin's Lay Representative to the Central Texas Library System.
64. Approved an Interlocal Cooperation Agreement for U.S. 290/SH 71 roadway improvements between the City of Austin and Travis County. (Travis County voters approved \$700,000.00, on September 8, 1984, for participating purchase of the right-of-way with the Texas Department of Highways and Public Transportation).

On Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

65. Adopt revised City of Austin Personnel Policies.
POSTPONED TO SEPTEMBER 20, 1990

66. Authorized financing for home mortgages within the City with the proceeds of the Travis County Housing Finance Corporation's 1990 Single Family Mortgage Revenue Bonds.
67. Approved an increase of \$189,119.08 to the approved Interlocal Agreement with Travis County for construction of an additional 4,243 feet of 8-inch water main and associated appurtenances for the Braker Lane Water Utility Relocation Project, currently under construction in conjunction with Travis County's Braker Lane Roadway Project. (Funding included in Water Utility C.I.P. No. 388-227-0874).

#66 and 67 on Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

68. Designated Mayor Lee Cooke as the voting delegate to the Annual Congress of

RESOLUTIONS - (CONTD.)

Cities, December 1-5, 1990, Houston, Texas, and chose Mayor Pro Tem Urdy and Councilmember Epstein as alternate voting delegates.

On Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

69. Set a public hearing on an appeal by John Hiles of the decision made by the Building Standards Board for the building locally known as 900 East 1st St. Date and time: September 20, 1990 at 3:00 p.m.

On Councilmember Nofziger's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

70. 3:00 P.M. - Public Hearing on ordinance amending the Mechanical Code relating to the Uniform Mechanical Code and local amendments.

Speaker's cards are on file in City Clerk's office. Public hearing closed and ordinance approved on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 7-0 Vote.

71. 3:30 P.M. - Public Hearing on ordinance amending the Plumbing Code relating to the Uniform Plumbing Code and local amendments.

Speaker's cards are on file in the City Clerk's office. The public hearing was closed on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 7-0 Vote. Council also approved an ordinance, on Councilmember Barnstone's motion, Councilmember Epstein's second, effective July 1, 1991, 5-2 Vote, Councilmembers Carl-Mitchell and Nofziger voted No.

72. 4:30 P.M. - Public Hearing on ordinance amending Ordinance 860911-W pursuant to the Land Development Code regarding plumbing, mechanical, and electrical fees.

Speaker's cards are on file in the City Clerk's office. The public hearing was closed and ordinance approved on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

73. 5:00 P.M. - Public Hearing on Operating and Capital Budget.

Speaker's cards are on file in the City Clerk's office. The public hearing was closed on Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Barnstone out of the room.

4:00 P.M. - ZONING HEARINGS AND CONSIDERATION OF ORDINANCESZONING DISTRICTSRecommended As Requested, by the Planning Commission

74. C14-90-0032 - CITY OF AUSTIN, 1107 W. 45th Street, Austin, Texas, by Planning and Development, from "LO" to "SF-3".

ROLL BACK WAS DENIED

On Councilmember Larson's motion, Councilmember Barnstone's second, 5-2 Vote, Councilmembers Carl-Mitchell and Epstein voted No.

Recommended As Requested, With Conditions

75. C814-90-0001 - CAPROCK PUD, by Land Strategies, Inc., 4411 Spicewood Springs Road, from "SF-3" to "PUD".

PUBLIC HEARING SET FOR OCTOBER 4, 1990 @ 4 P.M.

On Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

Restrictive Covenant Amendment

76. C14-83-069 - LGF, INC., by Armbrust & Brown, 1107 West 45th Street. NOT RECOMMENDED

Amended covenant to allow all professional offices except medical, on Councilmember Barnstone's motion, Councilmember Larson's second, 7-0 Vote.

Termination of Restrictive Covenant

77. C14-86-071 - STRAND TEXAS, INC. by Lichliter/Jameson & Associates, 3211 Tarlton Lane.

Approved, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 6-0 Vote Councilmember Nofziger out of the room.

ITEMS FROM COUNCIL

78. Amended Chapter 8-2, Code of the City of Austin, 1981, by adding a designated Area 2 to the Alcohol Consumption Ordinance 900816-D. (Councilmember Bob Larson)

FIRST READING ONLY, on Councilmember Larson's motion, Councilmember Nofziger's second, 4-3 Vote, Mayor Pro Tem Urdy, Councilmembers Carl-Mitchell and Epstein voted No.

79. Amended Ordinance No. 891214-E to clarify that the City Council may conduct performance evaluations of Boards and Commissions at any time. (Councilmember Louise Epstein)

On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Mayor Cooke announced that Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

80. Land Acquisition - Section 2, Paragraph f

a. Review and discussion of real property acquisition for:

- (1) U.S. Highway 183/290 Project
- (a) Account #66

81. Pending/Contemplated Litigation - Section 2, Paragraph e

(a) Discussion on settlement of a lawsuit styled David L. Brooks v. D. Frank Osborne, M.D. and Brackenridge Hospital.

Councilmember Epstein excluded herself from discussion of (a) due to personal conflict.

- (b) Briefing on City of Austin v. Barton Creek Properties Inc., (CA 489,680, Travis County District Court).
- (c) Discussion on Forrest E. Smock, et al v. the City of Austin, Civil Action No. A90 CA 357.
- (d) Discussion of settlement in construction litigation based on the installation of a waterline and wastewater line on McNeil Road entitled Austin Rio Construction Co., Inc. v. City of Austin, Cause No. 458 310.

RECESS - Council recessed its meeting from 10:28 to 11:15 P.M. for executive session.

ACTION ON THE FOLLOWING

82. Authorized City of Austin participation with the State of Texas property acquisition for the U.S. 183/290 projects.

City Cost is:

(A) Account 66 - \$89,000.00

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

83. Settlement of a lawsuit styled David L. Brooks v. D. Frank Osborne, M.D. and Brackenridge Hospital, for \$150,000.00.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Epstein abstained.

84. Approval of a settlement in a construction litigation based on the installation of a waterline and wastewater line on McNeil Road entitled Austin Rio Construction Co., Inc. v. the City of Austin, Cause No. 458 310, \$150,000.00.

On Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, 7-0 Vote. *See correction on last page of minutes - egms*

85. APPOINTMENTS

BUILDING STANDARDS BOARD - 2 TO EXPIRE 6/1/91; 3 TO EXPIRE 6/1/92
 CABLE COMMISSION - 4 TO EXPIRE 7/1/92; 1 TO EXPIRE 7/1/91
 CAPITAL METROPOLITAN TRANSIT AUTHORITY BOARD - 1

Council appointed Charles Crosswell to Capital Metropolitan Transit Authority Board on Councilmember Nofziger's motion, Councilmember Larson's second 7-0 Vote.

ELECTRICAL BOARD - 1 MASTER ELECTRICIAN; 2 CITIZENS
 EMPLOYEE'S RETIREMENT SYSTEM OF THE CITY OF AUSTIN - 1
 ETHICS REVIEW COMMISSION - 2

Edward House, on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

Suzy Woodford, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

HISTORIC LANDMARK COMMISSION - 1 TRAVIS COUNTY BAR ASSOC. REP.;
 6 INTERESTED CITIZENS
 MECHANICAL, PLUMBING AND SOLAR BOARD - 1 A/C CONTRACTOR; 1 MASTER
 PLUMBER; 1 CITIZEN
 MH/MR CENTER BOARD OF TRUSTEES - 1
 MINORITY AND WOMEN OWNED BUSINESS PROCUREMENT ADVISORY COMMITTEE - 10
 AS FOLLOWS: 1 MEMBER OF ECONOMIC DIVE. COMM.; 1 MEMBER HUMAN RIGHTS
 COMM.; 3 CERTIFIED MBE/WBE CONTRACTORS; 3 REPS. OF MINORITY AND
 WOMEN'S CHAMBERS OF COMMERCE; 2 MEMBERS OF THE PRIVATE SECTOR
 PARKS AND RECREATION BOARD - 2 WITH NAVIGATION EXPERIENCE; 4 CITIZENS
 PRIVATE INDUSTRY COUNCIL - 3
 RENAISSANCE MARKET COMMISSION - 1 TO EXPIRE 6/1/91; 4 TO EXPIRE 6/1/92
 SOLICITATION BOARD - 2

ADJOURN

Council adjourned its meeting at 11:15 P.M.

CORRECTION TO MINUTES OF AUGUST 30, 1990

According to Assistant City Attorney Orlinda Naranjo, the amount of money for settlement under Item 84 should be \$150,000 instead of \$142,700.

Barbara Parkhurst
City Clerk's Office

116